

G. R. S. 58]

Previous references.

CS 23¹³ (1-3) B.

~~CS 251~~ CS 251-11 (1-5) B.

19/4.15

File No. 24-14

Serial Nos. 1-2

(CS)

Later references.

ex 223-14

do 99-22 (1-4)

11 186-34 (1-2)

may be
deemed
Preserved
for
31/5/15

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B for Aug 14.

SUBJECT.

Withdrawal of the power conferred
(under sec 138 C.P.C.) on certain Munsiffs of
talking down evidence in English.

1. From The Reglr Chf Ct 405 of 28/7/14.
30
states that power conferred on certain
Munsiffs may be withdrawn.
2. To The Comply, Mysore Gazette 493 of 19/8/14.
Notifies the withdrawal of power of recording
evidence in English.

M. G. House

15.10.14.

GENERAL AND REVENUE SECRETARIAT.

(405)

NOTES.

File No. 744

FILE HEADING.

Withdrawal of the power conferred (under G.O. 6.P.C.) on certain Messrs of the High Court to record evidence in English.

From

The Registrar, Chief Court

No. 405/
30

Dated 28.7.1914

Received 29.7.1914

No.	Enclos.	Spare Copies.	Serial No.
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BRIEF ABSTRACT OF LETTER.

It is stated in the opinion of the Registrar that the power already conferred on the High Court to record evidence in English should be withdrawn and the power should be reserved to the High Court to record evidence in English.

NOTES AND ORDERS.

In para 6 of G.O. dated 17th April 1914, the Chief Court was requested to report if the power to record evidence in English already conferred ~~on the High Court~~ may be withdrawn from all the Messrs at once or a beginning made with the court having lighter work. It

General and Revenue
Secretariat.

ct File No. 24 of 1914-15

Serial
No.

the Chief Court is not clear on this point. It is simply stated that, in the opinion of the majority of the Judges, the power may be withdrawn.

P

2) From Court Collection 257 of 1911 it will be seen that 11 of the Munsiffs have now been exercising the power, of whom one is now a Sub Judge sub pro tem and the other is the present Dy. Pres^r of the Chief Court. Sub^d for orders.

11/8-116

1/8/1914

11/8/14 (48) The reply of the Chief clearly refers to withdrawal of powers conferred on the Munsiffs under 5138 of the Civil Pro Code. The ~~Judges~~ majority of the Judges of the Chief Court have not moved for the retention of powers with regard to any particular Court. Their intention clearly appears to be that the powers conferred on all the Munsiffs should be withdrawn, as no exceptional circumstances are alleged, though the Judges were specifically requested, the powers conferred under 5138 may make the Munsiffs may be withdrawn.

Decy 14) Please put up a draft accordingly
P.T.O.
18. 4/8/14
Decy 5/8
18/4

NOTE—Contn. sheet.

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Of the two notifications by which some of the Munsiffs were directed to take ^{part} evidence in English, one need not be withdrawn as it has now become inoperative on account of the Officer ^{thereby empowered} having been appointed as Dy Registrar.

② Draft notification with drawing to
other notification is sub.

kg. m.

10/8/1944. It is better to withdraw the
this notification also. The ^{appointment} of Key is included
in the existing Munisip. At any moment, a
Key may be asked to go out as Munisip
any Munisip may be appointed as it is
why should a fresh notification issue.
The notification concerning power in Edmond
Key is not in the file. That notification
also should find a place in this draft
Notification, so that all Munisips
have equal treatment. No distinction
may be drawn. Revise the draft accordingly.

A reversed draft with drawings ^{specified below} is subd. ~~So far~~ It is hoped that
now 12 of the Municipalities inclusive of M^u G. Municipal
Corp have been empowered by means of the
notices.

NOTE- Contn. sheet.

GPB -66,039--7 11-13

P.T.O.

Serial
No.

An alternative draft with drawing
the power without mentioning the notice by
which it was given, is also sent.

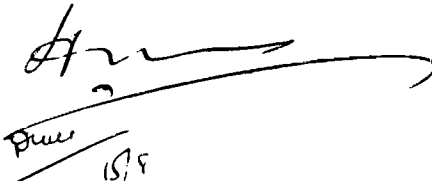
kg. 116

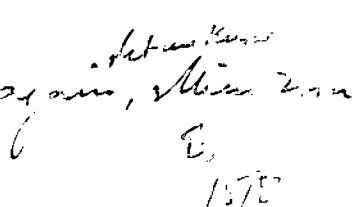
14-8-14

Draft with drawing submission
is sub for approval.

Secy. Dist. Commr.)

(Appd.) I presume that
all the notices about muffs
are cancelled -

15/8/14 

Verified, see again, ^{let me know} 

Subd.

Verified. There are no other notices
about muffs to be withdrawn.

kg. 716

18/8/14

J. S. M.



No. 405
3

BANGALORE

Dated 28th July 1914.

No. 7331.

From

T. VENKOBA RAO, Esquire, B.A., B.L.,
^{Ag.}
~~Deputy~~ Registrar of the Chief Court of Mysore,
Bangalore.

To

D.M. NARASINGA RAO, Esquire, B.A., B.L.,
Offg: Secretary to the Government of Mysore,
General and Revenue Departments,
Bangalore.

S i r,

K
Adverting to the Proceedings of Government No. 2986-
90/Cts. 23-13-3 dated the 17th April 1914, I am directed to
state, with reference to the last paragraph thereof, that in
the opinion of a majority of the Judges of the Chief Court,
the power conferred on certain Munsiffs under section 138
of the Code of Civil Procedure, 1911, to take down evidence
in English, may be withdrawn. Mr. Justice Chandrasekhara
Aiyar however considers that it is undesirable to withdraw
the power from officers on whom it has already been con-
ferred

2.

conferred and that it would be enough to abstain from conferring it in future.

I have the honour to be,

Sir,

Your most obedient servant,



Ag. REGISTRAR.



N. G.

Diary No. of letter replied to

No. 9

General and Revenue Secretariat

 ()
 , the 191 .)

Date of issue 19.8.14

Signed by *W. D. L. Lawrence*~~To~~Notification.

The direction conveyed to certain Munsiffs in the marginally^{*} noted notifications to take down evidence in civil cases, in which an appeal is allowed, with their own hand in the English language is withdrawn with effect from the 1st Sep^r 1914.

By order

H. J.
 15/8/14

G. H. S. : Secy, to Govt

over.

SUBJECT.

W. D. L.
14.8

 299.
transferred

- *
 1. No J 1510 / C5 144-11-2 & 15-11-1911
 2. ~~J 2262 / C5 210-11-2 & 2-2-1912~~
 3. J 3279 / C5 257-11-2 & 9-5-1912
 4. J 31 / C5 257-11-4 & 3-7-1912

4 no 494 8/9/8/14

copy to the Reg, Civils Court,

with reference to the no. $\frac{405}{30}$ of 28-7-1944

Government of H. H. the
Maharaja of Mysore.

GEN. & REV. SECRETARIAT.

REQUISITION FOR PAPERS.

34112

Section

A

B

Filed

Deposit

File No.

Serial No.

To be put up with Diary No of 191

Signature

Branch

Section

Date

*Spare copies of the above
G.O. have not been filed
in the Records. 11/7-13/10/14*